

Ordinance No. 411

AN ORDINANCE amending Grays Harbor County Code Chapter 9.08, Ordinances 176, 193, 276, and 312 designating an area of unincorporated Grays Harbor County where discharge of firearms and hunting is prohibited and making textual corrections.

Be it ORDAINED by the Board of Commissioners of Grays Harbor County as follows:

Section 1. Grays Harbor County Code Section 9.08.010, (Ordinance 176 § I, 1993) is amended to read as follows:

For the purpose of this chapter, the following terms shall have the following meanings:

(1) "Bow" means a weapon that is made of a strip of flexible material (as wood) with a cord connecting the two ends and holding the strip bent and that is used to propel an arrow.

(2) "Closed area" means an area wherein it shall be unlawful to hunt or to discharge a rifle, pistol, shotgun or other firearm.

(3) "Firearm" means a weapon or device from which a projectile may be fired by an explosive such as gun powder.

(4) "Hunt" means any effort ~~((made))~~ to kill, injure, capture, or harass~~((disturb))~~ a wild animal~~((s))~~ or wild bird~~((s with any firearm))~~.

(5) "Person" or "persons" means and includes any individual, any corporation, or any group of two or more individuals acting together to forward a common purpose, whether they are acting in an individual, representative, or official capacity, excepting law enforcement officers in the line of duty.

Section 2. Grays Harbor County Code Section 9.08.020, (Ordinance 176 § II, 1993; Ordinance 276 § 1, 2000; Ordinance 312 § 1, 2004), is amended to read as follows:

(1) No person shall hunt with, or discharge any rifle, pistol, shotgun or other firearm in the following areas of Grays Harbor County:

(a)((A)). That portion of Grays Harbor County, Washington, commencing at the point where the Northern Pacific Railroad right-of-way crosses the east boundary of Section 12, Township 17 North, Range 9 W.W.M., thence south to the north bank of the Chehalis River, thence northerly along the easterly boundary of the City of Aberdeen city limits to the northwest corner of Section 2, Township 17 North, Range 9 W.W. M., thence east to the northeast corner of Section 1, Township 17 North, Range 9 W.W.M., thence south along the section line to the Olympic Highway, thence east along the Olympic Highway to the east boundary of Section 10, Township 17 North, Range 8 W.W.M., thence south to the Northern Pacific Railroad right-of-way, thence westerly along said right-of-way to the point of beginning.

(b)((B)). That portion of Grays Harbor County just east of the city limits of Montesano, Grays Harbor County, Washington, which is bounded on the west by the intersection of Cherry Road, and Beacon Avenue, thence north along Cherry Road, thence northeast along Lake Drive, thence easterly along Camp Creek Road to the intersection of Roup Lane, thence south along Roup Road to the intersection of Roup Road and County Road 41A, thence southwest along County Road 41A, to the intersection of Beacon Road, thence northwesterly along Beacon Road to the intersection of Cherry Road to the point of beginning.

~~((C. A tract of land bounded by the line of mean high tide of the Pacific Ocean on the west, the westerly right-of-way of State Route No. 109 on the east, the north line of U.S. Government Lot 4, Section 34, on the north, and the south line of U.S. Government Lot 3, Section 10, Township 18 North, Range 12 West, and Sections 3 and 10, Township 18 North, Range 12 West, Willamette Meridian, on the south, all in Section 34 Township 19 North, Range 12 West, Grays Harbor County, Washington.))~~

(c)((D)). That portion of Grays Harbor County, located totally within Township 17 North, Range 10 West, commencing at the junction of State Highway No. 105 and Constantine Way (main entrance road to Stafford Creek Corrections Center), thence southwesterly along State Highway No. 105 to the Oleary Creek Road, thence southwesterly along the Oleary Creek Road to the Weyerhaeuser Company X-line, thence southeasterly along the X-line to the point at which the X-line crosses Oleary Creek, thence southeasterly along Oleary Creek to the section line between Sections 33 and 34, thence north along the section line between Sections 33 and 34 to the south one-sixteenth corner between Sections 33 and 34, thence east along the south line of the north one-half of the southwest one-quarter of Section 34 to the center south one-sixteenth corner of Section 34, thence north along the west line of the northwest one-quarter southeast one-quarter of Section 34 to the center one-quarter corner of Section 34, thence east along the south line of the northeast one-quarter of Section 34 to the east one-quarter corner of Section 34, thence north to the northeast corner of Section 34 thence north along the east section line of Section 27, a distance of two thousand three hundred and fifty (2,350) feet more or less to a gravel logging road crossing said east section line of Section 27, thence northwesterly along the gravel road to the main access road to the Stafford Creek Wood Waste Site, thence northwesterly along the Stafford Creek Wood Waste Site access road to Constantine Way and State Highway No. 105 and the point of beginning; EXCEPTING THEREFROM the following property: That portion of the southwest quarter of the southeast quarter of Section 28, Township 17 North, Range 10 West of the Willamette Meridian, described as follows:

Beginning at a point on the southerly line of said subdivision which is one hundred and seventy (170) feet easterly of the southwest corner thereof; thence westerly along said southerly line to the southwest corner of said subdivision; thence northerly along the westerly line of said subdivision to

the southeasterly line of State Highway No. 105 ; thence northeasterly along the southeasterly line of said highway one hundred and seventy (170) feet; thence southeasterly to the point of beginning.

(d)((E)). That portion of Section 11 , Township 17 North, Range 8 West, Willamette Meridian lying southerly of U.S. Route 12, westerly and southerly of the U.S. Route 12 connection with Aldergrove Drive, westerly of Aldergrove Drive, and northerly of that portion of the Puget Sound-Pacific Railroad lying westerly of its intersection with Aldergrove Drive, AND that portion of the North one-half of Section 14, Township 17 North, Range 8 West, Willamette Meridian lying northerly of the Puget Sound-Pacific Railroad.

(2) No person shall hunt with, or discharge any bow, cross-bow, rifle, pistol, shotgun or other firearm in the following area of Grays Harbor County:

All those lands bounded on the west by the Mean Lower Low Water line, on the north by the Copalis River, bounded on the east by the westerly right of way limits of State Route 109 and State Route 115, and bounded on the south by Damon Road.

Section 3. Grays Harbor County Code Section 9.08.030, (Ordinance 176 § III, 1993; Ordinance 276 § 2, 2000), is amended to read as follows:

Any person convicted of a violation of this chapter((Sections 9.08.010 and 9.08.020)) shall be guilty of a gross misdemeanor and shall be punished by a fine not to exceed five thousand dollars (\$5,000.00) or by imprisonment in jail for a period not to exceed one year, or by both such fine and imprisonment.

Section 4. Grays Harbor County Code Section 9.08.040, (Ordinance 193, 1994), is amended to read as follows:

(1)((A)). Except as provided hereafter((in subsections B and C of)) this section, all firearms that come into the possession of the Grays Harbor County sheriff((sheriff's office)) after June 30, 1993 that are judicially forfeited under RCW 9.41.098 ((RCW)) and no longer needed for evidence

or forfeited due to failure to make a ~~claim~~~~(complaint)~~ under RCW 63.32.010 ~~((RCW))~~ or RCW 63.40.010 ~~((RCW,))~~ may be disposed of by the Grays Harbor County sheriff in his or her~~(sheriff's office in its))~~ discretion as follows:

- ~~(a)~~~~((1))~~. Retained for agency use;
- ~~(b)~~~~((2))~~. Traded to commercial sellers;
- ~~(c)~~~~((3))~~. Auctioned by commercial sellers;
- ~~(d)~~~~((4))~~. Destroyed.

~~(2)~~~~((B))~~. Antique firearms, as defined by RCW 9.41.150, and firearms recognized as curios, relics, and firearms of particular historical significance by the United States ~~((Treasury))~~ Department of Justice Bureau of Alcohol, Tobacco, and Firearms are exempt from destruction and shall be disposed of by auction or trade to commercial sellers.


~~(3)~~~~((C))~~. All firearms that are illegal to possess, as defined in subsection ~~(4)~~~~((D))~~ of this section, shall be destroyed and shall not be retained, traded or auctioned. If firearms otherwise illegal to possess may be rendered legal to possess by removal or alteration of component parts, the Grays Harbor County sheriff~~(sheriff's office))~~ may, in his or her~~((its))~~ discretion, effect such removal or alteration, and may thereafter dispose of the firearm under subsection ~~(1)~~~~((A))~~ of this section.

~~(4)~~~~((D))~~. Firearms that are illegal to possess means firearms that are illegal to possess as a private citizen under state or federal law.

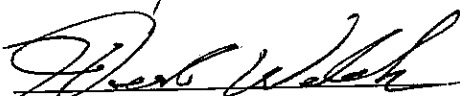
~~(5)~~~~((E))~~. Any proceeds from the trade or auction of firearms shall be used by the Grays Harbor County sheriff's office.

Section 5. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance, or its application to any person or circumstance is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances is not affected.

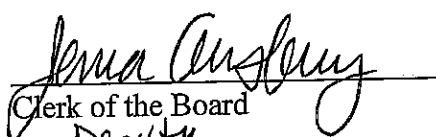
ADOPTED in open session by the Board of County Commissioners this 28th day of April, 2014.


Frank Gordon, Chairman

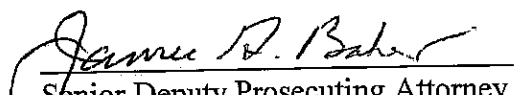

Wes Cormier, Commissioner


Herb Welch, Commissioner

ATTEST:


Clerk of the Board
Deputy

APPROVED AS TO FORM:


Senior Deputy Prosecuting Attorney